

2014 NOV 17 PM 4:48
OFFICE OF THE
SECRETARY

VINCENT C. GRAY
MAYOR

NOV 17 2014

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Subject: Human Care Provider Agreement (Clean and Sober Streets)
RM-14-HCPA-051-BY4-CPS (formerly known as APHC-2013-E-0004)

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is a proposed emergency act, the "Purchase Orders to Human Care Provider Agreement RM-14-HCPA-051-BY4-CPS Approval and Payment Authorization Emergency Act of 2014", along with an emergency declaration resolution, to approve Purchase Orders PO461297, PO461297-V2, PO485974, PO485974-V2 and PO485974-V3 totaling \$1,101,375.55 to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS between the Department of Behavioral Health and Clean and Sober Streets for Level I Narcotic/Opioid Outpatient Substance Abuse Treatment services to eligible District residents.

Along with the emergency legislation, I am forwarding a contract summary and certifications of legal sufficiency, funding availability and tax compliance. The Human Care Provider Agreement expenditures in excess of one million Dollars allowed Clean and Sober Streets to provide continuity of services to meet Public Health and Welfare requirements for Level III Non Hospital Residential Substance Abuse Treatment Services to those who are eligible for care under the Choice in Drug Treatment Act of 2000, effective July 8, 2000 (D.C. Law 13-146, D.C. Official Code §7-3001 *et seq.*)

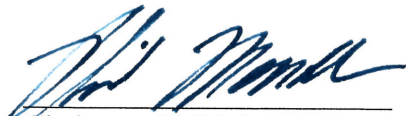
As always, I am available to discuss any questions you may have. Or, your staff can contact Samuel J. Feinberg, Agency Chief Contracting Officer, at (202) 671-3188. I look forward to favorable consideration of the emergency legislation.

Sincerely,

A handwritten signature in black ink that reads "Vincent C. Gray".
Vincent C. Gray

Enclosures

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Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, Purchase Orders PO461297, PO461297-V2, PO485974, PO485974-V2 and PO485974-V3 to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS (formerly known as APHC-2013-E-0004) between the Department of Behavioral Health and Clean and Sober Streets, Inc., to authorize payment for the services received under the Agreement.

IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Purchase Orders to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS Approval and Payment Authorization Emergency Act of 2014”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02) and section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.46), the Council approves Purchase Orders PO461297, PO461297-V2, PO485974, PO485974-V2 and PO485974-V3 totaling \$1,101,375.55 to Human Care Provider Agreement No. RM-14-HCPA-051-BY4-CPS (formerly known as APHC-2013-E-0004) between the Department of

32 Behavioral Health and Clean and Sober Streets, Inc., and authorizes the payment of
33 \$1,101,375.55 for Level III non-hospital residential substance abuse treatment services
34 received under the Agreement from May 2, 2013 through May 1, 2014.

35 Sec. 3. The Council adopts the fiscal impact statement provided by the Chief
36 Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District
37 of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code
38 § 1-206.02(c)(3)).

39 Sec. 4. This act shall take effect following approval by the Mayor (or in the event of
40 veto by the Mayor, action by the Council to override the veto), and shall remain in effect for
41 no longer than 90 days, as provided for emergency acts of the Council of the District of
42 Columbia in section 412(a) of the District of Columbia Home Rule Act, approved
43 December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

COUNCIL SUMMARY

HUMAN CARE PROVIDER AGREEMENT (HCPA)

Pursuant to D.C. Official Code §2-352.02(c), the following information is provided:

(A) The Provider, HCPA Amount, Unit and Method of Compensation, Human Care Provider Agreement (HCPA) Term and HCPA:

Provider:	Clean and Sober Streets
HCPA Number:	RM-14-HCPA-051-BY4-CPS (formerly known as APHC-2013-E-0004)
HCPA Amount:	Purchase Orders Totaling: \$1,101,375.55
HCPA Term:	May 2, 2013 through May 1, 2014
Services:	Level III Non-Hospital Residential Substance Abuse Treatment Services for Adults

Unit and Method of Compensation:

The Department of Behavioral Health (DBH) utilizes the Unit of Service that is based on the Established Rates and Service Units provided to each Client as a Method of Compensation, in accordance with listed exceptions, limitations, and DBH authorizations for each Healthcare Common Procedural Coding System (HCPCS), which is included at the end of this Summary. The Method of Compensation is that Clean and Sober Streets submits requests for payment of Established Rates and Service Units to ensure that claims are properly billed and services rendered through the DBH/The Addiction Prevention and Recovery Administration's (APRA) Automated Treatment Accounting (DATA) system.

(B) The goods or services provided, the methods of delivering goods or services and any significant program changes reflected in the HCPA:

Effective October 1, 2013, with the merger of the Department of Mental Health (DMH) and the Addiction Prevention and Recovery Administration (APRA), the Department of Behavioral Health (DBH) became the agency responsible for the service provisions to clients of the APRA and all substance use disorder treatment services provided to District Residents.

The Provider had the responsibility to provide Level III Non-Residential Hospital Substance Abuse Treatment Services for Adults under the District of Columbia's Drug Treatment Choice Program (DTCP). The DTCP's purpose is to provide District residents with access to substance abuse rehabilitation and aftercare plans at the treatment provider of their choice in consultation with a qualified substance abuse counselor and subject to the availability of funds. Following the assessment of an individual and based on the results of that assessment, DBH offers a choice of

Substance Abuse Treatment Providers. Because of individual client choice, participation in this program with DBH does not guarantee a definite volume of referrals.

Clean and Sober Streets provided and performed quality services of Level III Non-Hospital Residential Substance Abuse Treatment Services for Adults in a successful and satisfactory manner.

The Provider had the financial resources and ability to perform the required services of this HCPA or had the ability to obtain those resources. The Provider had the ability to comply with the required delivery and performance schedule, taking into consideration all existing commercial and governmental business commitments.

(C) The selection process, including the number of Offerors, the evaluation criteria and the evaluation results, including price and technical components:

Prior to DBH assuming responsibility for this HCPA, the selection process was the responsibility and conducted by the Department of Health (DOH)/APRA. It appears that the providers in the Choice Program became certified as a substance abuse treatment facility or program under Title 29, Chapter 23 of the District of Columbia Municipal Regulations (DCMR) and, if an Opioid Treatment Provider, certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) of the United States Department of Health and Human Services. In addition, Providers received written approval from DOH of its application to provide Substance Abuse Treatment Services to persons eligible under Medicaid.

On May 2, 2013, DOH/APRA issued Purchase Order Number: PO461297. Upon the merger of the DMH and APRA to create the Department of Behavioral Health a new HCPA Number, RM-14-HCPA-051-BY4-CPS, was assigned on October 1, 2013.

(D) The background and qualifications of the Prospective Provider, including its organization, financial stability, personnel, and prior performance with the District Government:

Clean and Sober Streets previously provided these services previously and maintained all required certifications qualifying them to provide Level III Non-Hospital Substance Abuse Treatment Services for Adults. Clean and Sober Streets maintained compliance with District and Federal Laws. While being in Tax Compliance Clean and Sober Streets was an asset to the District of Columbia Government and was financially stable.

Clean and Sober Streets had the ability to comply with the required delivery and performance schedule, taking into consideration all existing commercial and governmental business commitments.

Clean and Sober Streets had a satisfactory record of compliance with the law, including labor and civil rights laws and rules and the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code Sec. 2-219.01 et seq.) and had achieved success at a level of satisfactory record of performance.

Clean and Sober Streets had the necessary organization, experience, accounting and operational controls, along with technical skills based upon recent and past history, while having the ability to acquire additional resources.

Clean and Sober Streets had the ability to obtain the necessary production, construction, technical equipment and facilities.

Clean and Sober Streets did not have an outstanding debt with the District or Federal Government in delinquent status; and

Clean and Sober Streets had a satisfactory record of integrity and business ethics. Clean and Sober Streets was otherwise qualified and was eligible to receive an award under applicable laws and rules. This Provider had not been debarred from providing services to any governmental entity. Upon review of the District and Federal Excluded Parties List, along with HHS OIG Federal System for Award Management, Clean and Sober Streets does not appear on any of the above referenced lists.

(E) Performance standards and expected outcomes of the HCPA:

Clean and Sober Streets provided Level III Non-Hospital Substance Abuse Treatment Services for Adults, while ensuring compliance with all terms/conditions, along with associated deliverables of the Prospective HCPA.

(F) A certification that the HCPA was within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with D.C. Official Code §§47-392.01 and 47-392.02:

The Agency Fiscal Officer has certified that funding in the full estimated amount of \$1,101,375.55 was available for this HCA in the FY2013-14 Budgets.

(G) A certification that the HCPA is legally sufficient, including whether the prospective Provider has any currently pending legal claims against the District:

The Office of the Attorney General has determined that the Human Care Provider Agreement with Clean and Sober Streets is legally sufficient and that Clean and Sober Streets has no currently pending legal claims against the District.

(H) The certification that the Provider is current with its District and Federal taxes or has worked out and is current with a payment schedule approved by the District or Federal Government:

The Office of Tax and Revenue and Department of Employment each verified, that Clean and Sober Streets is in compliance with applicable tax laws.

(I) The status of the Provider as a certified local, small, or disadvantaged business enterprise as defined in the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2004, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code §2-218.01 et seq.):

Clean and Sober Streets is not a certified local, small, or disadvantaged business enterprise.

(J) Other aspects of the HCPA that the Agency Chief Contracting Officer considers significant:

N/A

(K) A statement indicating whether the Provider is currently debarred from providing services or goods to the District or Federal Government, the dates of the debarment, and the reasons for debarment:

To the best of the Director/ACCO's knowledge, the Provider, Clean and Sober Streets, was not debarred from providing services to any Governmental entity. Upon review of the District Excluded Parties List, along with HHS OIG and Federal System for Award Management, Clean and Sober Streets did not appear on any of the above-referenced lists.

(L) Where the HCPA, if executed, will be made available online:

The HCPA will be online at www.dbh.dc.gov. Click on About DBH, then select Open Government and FOIA, and click on Awarded Contracts.

DISTRICT OF COLUMBIA



Office of Tax and Revenue
Collection Division

1101 4th Street SW steW600
Washington, DC 20024

OFFICE OF TAX AND REVENUE
TAX VERIFICATION RESPONSE

REQUESTOR: JEANNE MIRABILE

AGENCY: DBH

VENDOR NAME: CLEAN & SOBER STREETS FEIN: 52-1676306

TO BE COMPLETED BY THE OFFICE OF TAX & REVENUE

- The prospective contractor is in compliance with the filing and payment requirements of the District of Columbia tax laws. RM-15-HCA-SATS-000-XXX-BY4-CPS
- The prospective contractor/individual is not liable for the tax filing requirements of the District of Columbia.
- The prospective contractor is not in compliance with the tax filing and payment requirements of the District of Columbia Tax Law. The contractor may obtain details of the tax deficiency and make arrangements to correct this by contacting the Revenue Officer whose signature appears below
- The prospective contractor has recently been registered with the District of Columbia and has not incurred any liabilities so far
- Our records indicate that the prospective contractor is not registered to do business in the District of Columbia. Please contact the Office of Tax and Revenue, Customer Service Office at (202) 727-4829 to request a form FR-500 (Combined Registration Application) which must be fully completed and submitted to the address indicated on the form *Office of Tax and Revenue, PO Box 470 Washington, DC 20044-0470* or register online at: https://www.taxpayerservicecenter.com/FR500_Instructions.jsp.



Theresa Boyd
Collections Manager

9/03/2014

Date



Carolyn Powell
Sr. Revenue Officer

202-442-6885

Telephone Number

**DEPARTMENT OF EMPLOYMENT SERVICES
TAX VERIFICATION RESPONSE - DOES**

CONTRACT SPECIALIST JEANNE MIRABILE

AGENCY: DBH

VENDOR NAME: CLEAN & SOBER STREETS

ACCOUNT #: 160 857 FEDERAL ID # 52 1676306

**TO BE COMPLETED BY THE DEPARTMENT OF EMPLOYMENT SERVICES
TAX DIVISION**

THE DEPARTMENT OF EMPLOYMENT SERVICES CERTIFIES THAT:

- The prospective contractor **is in compliance** with the tax filing and payment requirements of the District of Columbia Unemployment Tax Laws or is in compliance with an established payment plan.
- The prospective contractor **is not liable** for the tax filing or payment requirements of the District of Columbia Unemployment Tax Laws.
- The prospective Contractor **is not in compliance** with the tax filing and payment requirements of the District of Columbia Unemployment Tax Laws. The contractor may obtain details of the tax deficiency and make arrangements to correct this deficiency by contacting the tax enforcement officer whose name and telephone number follow: Name: _____ Phone # _____
- The prospective Contractor **is NOT REGISTERED** with the Unemployment Tax Division. To register, Part VI Of the FR-500 (Combined Registration Application) must be completed and returned to the Unemployment Tax Division. Please contact the Compliance Officer (**Doris Artis**) at (202) 741-8693 for information.

For Patrick Holmes

Patrick Holmes

ASSOCIATE DIRECTOR - OUC
TITLE

14 Nov 14
DATE

202-741-8693
TELEPHONE NUMBER

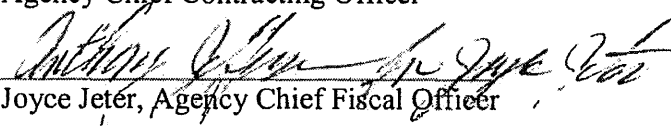
GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF BEHAVIORAL HEALTH



Office of the Chief Financial Officer

MEMORANDUM

To: Samuel J. Feinberg, CPPO, CPPB
Director, Contracts and Procurement
Agency Chief Contracting Officer

From: 
Joyce Jeter, Agency Chief Fiscal Officer

Subject: Certification of Funding for FY2013-2014
Purchase Orders Issued under Human Care Provider Agreement (HCPA)
No. RM-14-HCPA-051-BY4-CPS (formally known as APHC-2013-E-0004)
Clean and Sober Streets – Level III Non-Hospital Residential Substance Abuse
Treatment Services for Adults
Proposed: \$1,101,375.55

Date: July 30, 2014

Pursuant to DC Official Code § 2-352.02 (c)(6), the Office of the Chief Financial Officer certifies that Purchase Orders for the period May 2, 2013 to May 1, 2014 (PO461297 dated 5/2/2013, PO461297-V2 dated 5/10/2013, PO485974 dated 11/15/2013, PO485974-V2 dated 12/24/2013 and PO485974-V3 dated 4/24/2014) totaling \$1,101,375.55, were fully funded and within the appropriated budget authority for the agency for the fiscal years 2013 and 2014, and consistent with the financial plan and budget adopted in accordance with §§ 47-392.01 and 47-392.02. With this certification, the Purchase Orders totaling \$1,101,375.55 under the above HCPA with Clean and Sober Streets shall be forwarded to the D.C. Council for approval.

Please do not hesitate to contact me with any questions or concerns you may have regarding this certification. I can be reached at (202) 671-3211.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



Procurement Section



MEMORANDUM

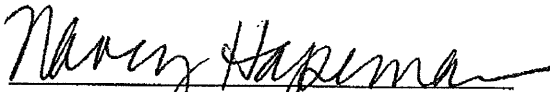
TO: Lolita S. Alston
Director
Office of Legislative Support

FROM: Nancy Hapeman
Chief, Procurement Section
Commercial Division

DATE: SEP 18 2014

SUBJECT: Approve Purchase Orders under Human Care Provider Agreement
No. RM-14-HCPA-051-BY4-CPS (formerly known as APHC-2013-E-
0004) Purchase Orders PO461297, PO461297-V2, PO485974,
PO485974-V2 and PO485974-V3 totaling \$1,101,375.55
Contractor: Clean and Sober Streets
Services rendered from May 2, 2013 through May 1, 2014

This is to Certify that this office has reviewed the referenced purchase orders and that we have found them to be legally sufficient. If you have any questions, please do not hesitate to call me at 724-4391.


Nancy Hapeman